

customers in this region of the country. The present owners of the dog track are from New York, and Senator Al D'Amato is pushing their bail out very hard.

Fowler's schedule for this date reflects the expected attendees, and notes that a separate briefing would be available that morning. Mercer suspects he did create such a document, but no copy of it has ever been produced to investigators.

O'Connor's billing records indicate that he and Kitto met with Mercer prior to the group meeting, to discuss a "contributions program for the Indians." Neither O'Connor, Kitto nor Mercer recalls such a discussion on April 28. Kitto recalled fund-raising discussions with Mercer around this time, but did not recall a particular meeting on the subject.<sup>231</sup> Mercer acknowledges that he was in contact with O'Connor and Kitto throughout this time frame regarding fund-raising generally, and Indian fund-raising in particular, but he and Fowler both dismiss the notion that the April 28 meeting was meant to include any discussion of Indian fund-raising along with the planned focus on the tribes' concerns about the Hudson casino application.<sup>232</sup> Yet, Mercer acknowledges that the April 28 meeting was a "follow-up" to the March 15 meeting of O'Connor and Kitto with Fowler and Mercer.<sup>233</sup> Mercer's own briefing sheet for that earlier meeting demonstrates that the focus of the March meeting was on two issues: Native American participation in the DNC and the Hudson matter.

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<sup>231</sup>Kitto acknowledged that his April 26, 1995, daytimer contains notations he made about Indian fund-raising goals he was then discussing with other persons relating to the DNC and the Re-election Campaign.

<sup>232</sup>Kitto testified, however, that Fowler was aware that O'Connor and Kitto were helping to raise money for the DNC.

<sup>233</sup>OIC Interview of David Mercer, Oct. 22, 1998, at 5.